DOCUMENT RESUME

ED 195 176 HE 013 080

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TITLE Overseas Students and Government Policy, 1962-1979.
INSTITUTION Overseas Students Trust, London (England).
PUB DATE Nov 79
NOTE 27p.: For related document, see HE 013 081.
AVAILABLE FROM Overseas Students Trust, 14 Denbigh Street, London SW1V 2ER, England

EDRS PRICE MF01/PC02 Plus Postage.
DESCRIPTORS *College Housing: *College Students: Federal Legislation: *Foreign Countries: *Foreign Students: Government School Relationship: Higher Education: *Quotas: Student Financial Aid: *Study Abroad: Trend Analysis: *Tuition
IDENTIFIERS *United Kingdom

ABSTRACT

Government policy in Britain from 1962-1979 that affects overseas students is examined. The following areas are covered: fees, funds, and quotas: accommodation and welfare: and immigration, employment and race relations. During the period from 1962-1979 government involvement in overseas students' affairs has largely related to increase in fees, occasionally to hardship funds, and to the limitation of numbers. The Overseas Students Welfare Expansion Programme came about in March 1961 when the government decided to provide financial aid for approved organizations willing to undertake the creation of additional residential accommodation where it was acutely needed. The scheme was established to meet the needs of Commonwealth and overseas students, and the principle of differential charges for students classified as overseas for tuition fee purposes was given ministerial approval. The 1971 Immigration Act provided that students from EEC countries were not subject to previous restrictions on taking employment and residence permits were a formality. The 1976 Race Relations Act introduced a definition of 'overseas student' that includes more immigrants than the previous definition. Appendices include information on: changes in tuition fees in British institutions of further and higher education: major political crises abroad affecting or resulting in large groups of overseas students in Britain: and major parliamentary debates on overseas students in Britain. A bibliography is included. (SW)

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OVERSEAS STUDENTS AND GOVERNMENT POLICY

1962 - 1979

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OVERSEAS STUDENTS AND GOVERNMENT POLICY, 1962-1979

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OVERSEAS STUDENTS TRUST

NOVEMBER 1979

"OVERSEAS STUDENTS AND GOVERNMENT POLICY 1962-1979" *

SUMMARY

Fees, Funds and Quotas (paragraphs 1 - 24)

1. In December 1966 the Government announced the introduction of higher fees for overseas students (to £250 and £150 for advanced and non-advanced courses respectively) from the 1967/68 academic year and established a definition of an overseas student for fees purposes which became the definition used for statistical purposes. Students on courses were largely protected from the increases and the Overseas Students Fees Awards Scheme (OSFAS) was set up to assist students from developing countries with their fees.

2. The number of overseas students in British public institutions was the same at the beginning of the sixties as it was at the end (about 31,000), after a peak of nearly 36,000 the year before the fee differential was introduced. However, because of the change of definition, it is difficult to ascribe any more than a slight decrease in numbers to the fee increases.

3. From the academic year 1975/76 till the present time there have been fee increases each year for all students, British and overseas, but with the exception of 1975/76 the rises have been percentage increases, thus widening the gap between what home and overseas students have paid. In the current year, 1979/80, a further 22% increase was levied on overseas students alone, on top of the 9% increase 'across the board' already announced.

4. The number of overseas students rose significantly in the early and mid seventies, from 35,000 in 1970/71 to 83,000 in 1976/77. This led to the Government's introduction of a policy of limitation of numbers, spelled out in 1977, which was aimed at reducing the number of overseas students in 1978/79 to the total reached in 1975/76, i.e. 76,000. Such a reduction has not resulted though the rate of increase has been checked. The target figure for the early 1980s has been reduced (along with other DES projections of student numbers) and in all estimates it is below 70,000.

5. Further definition changes brought about as a consequence of the 1976 Race Relations Act have resulted in groups of students who would previously have been classified as 'home' for fees purposes, being classified as 'overseas'. Changes in official interpretation of 'ordinary residence' in 1978 made most overseas students ineligible for local authority grants.

* This paper has been prepared by Rupert Bristow and edited by Jack Thornton.

Speculation about a reshaping of Government fee policy towards overseas students began in 1976 but nothing emerged until the announcement in November 1979 by the Secretary of State for Education, Mark Carlisle, that from the academic year 1980/81 new overseas students would have to bear the 'full cost' of their courses.

Accommodation and Welfare (paragraphs 25 - 35)

7. In 1961 the Government introduced a programme of financial aid for the creation of additional student hostel accommodation in the voluntary sector, mainly for overseas students. The Overseas Students Welfare Expansion Programme (OSWEP) had its heyday in the Sixties and by the time the allocation of its funds of £5¼ m. had been used up, 5,000 new residential places had been provided.

8. In 1968 the DES established the principle of 'economic' charges for overseas students using hostel accommodation attached to LEA colleges and polytechnics. For a brief period in 1978 it seemed that such a practice was forbidden by the Race Relations legislation, as far as self-catering accommodation was concerned, but a further Circular by the DES ensured that the principle of differential charges was re-established and given Ministerial approval.

9. The stock of privately rented accommodation available to students has been adversely affected by the 1974 Rent Act, but the Housing Act of the same year has provided statutory finance for housing associations, some of which offer accommodation for overseas, particularly married, students.

10. DES Welfare Circulars issued in 1963 and 1978 offered practical advice and information on college provision for overseas students. They reflected the particular concerns of their time but show a marked similarity in the topics covered.

Immigration, Employment and Race Relations (paragraphs 36 - 43)

11. The 1962 Commonwealth Immigrants Act, by imposing a control on the entry of Commonwealth citizens and introducing the entry certificate procedure, encouraged some abuse of the less rigorous checks on students coming into the country by those wishing to avoid the new controls. This led to a tightening of the controls on Commonwealth students bringing these more into line with the checks on non-Commonwealth students. However this did not extend to employment: the Commonwealth student was free to take part time/vacation employment without permission, whereas the non-Commonwealth student was not.

12. The 1971 Immigration Act, coming into effect when Britain entered the EEC, exempted EEC nationals from employment controls while putting Commonwealth students on the same footing as non-Commonwealth students for part time/vacation employment purposes, i.e. permission had to be obtained from the Department of Employment.

13. To supplement the advice on admissions given in the 1963 Welfare Circular an Administrative Memorandum was issued in 1967 setting out, among other things, the procedure for sponsorship by a national authority and the immigration procedures and regulations affecting overseas students. A further Circular in 1978 spelled out at greater length the new procedures and regulations introduced in 1973 under the 1971 Immigration Act.

14. Of the three Race Relations Acts during this period (1965, 1968 and 1976) only the 1976 Act has had a marked and specific effect on overseas students by forcing the DES to introduce a definition of 'overseas student' which includes more immigrants than the previous definition.

FEES, FUNDS AND QUOTAS

In the period from 1962 to 1979 Government involvement in overseas students affairs by way of Department of Education and Science Administrative Memoranda and Circulars has largely related to increase in fees, occasionally to hardship funds, and, latterly, to the limitation of numbers as well. These Circulars and Memoranda have normally had their equivalents in respect of Scotland and also, through the University Grants Committee, as guidance to the universities. But the main lines of Government policy are identifiable from a perusal of the DES documents alone.

2. DES Circular 27/66 of 21 December 1966 introduced for the first time a differential fee for overseas students* - £250 for advanced courses (home students' fee: £70) and £150 for non-advanced courses (home students' fee: £30). "While recognising that the education received by these students is an important contribution to the development of these countries and to the continued influence of Britain overseas, the Government have concluded that, as announced in Parliament on 21 December, a higher level of fees for them is justified, provided that there are proper safeguards for students who have already embarked on courses, students financed by the Government through scholarships and other schemes, and existing students from developing countries who are financed by their own Governments."

3. There were debates in the House of Lords on 14 February and in the House of Commons on 23 February 1967. Further guidance on the subject was issued by the DES in Administrative Memorandum 14/67 of 20 April which spelled out mitigating measures in more detail, limiting the increase to £50 for those already on a course until 1970/71 and specifying which students were to be classified as overseas students for the purpose of fees by indicating eligibility for fees at the home students' rate.

Changes in the Statistics

4. The definition of an overseas student under Administrative Memorandum 14/67 for fees purposes became also the definition for statistical purposes. Some students who were in most senses overseas students** would henceforth be classified as home students if they fulfilled the neccessary residence criteria.

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*Note See the summary table of increases of overseas students' fees at Appendix I.

**Note e.g. here only to study, having the intention to return, etc.

For this reason the apparent severe deterrent effect of the increase on overall public sector overseas student numbers, viz:

1962/63	:	31,084	old definition (normal country of residence)
1963/64	:	31,467	
1964/65	:	32,409	
1965/66	:	32,674	
1966/67	:	35,719	
1967/68	:	31,091	new definition (paying overseas students fee levels)
1968/69	:	30,273	

should be viewed with caution. Thus the small drop in numbers between 1967/68 and 1968/69 would seem to be a more accurate index of the deterrent effect of the 1967 increases than the apparently large drop between 1966/67 and 1967/68.

Hardship Funds

5. Another consequence of the 1967 fee increases was the setting up of the Overseas Students Fees Awards Scheme (OSFAS) with money allocated by the Ministry of Overseas Development and administered by the British Council. This enabled High Commissions, Embassies and institutions of higher education to nominate students (mainly but not exclusively post-graduates), subject to certain eligibility criteria concerning nationality and type of study, for full assistance with remission of the fee. This was in addition to the Overseas Students Special Fund (OSSF) which was set up to enable students already on courses when the fees were increased, to recoup the £50 extra they were asked to pay.

6. Despite increases in further education fees for home students in 1971, fees for overseas students remained constant at £250 and £150 until 1975/76. DES Circular 3/75 of 25 March 1975, however, announced increases for home and overseas students of £70 for advanced courses and £50 for non-advanced courses for the academic year 1975/76, stating that "Authorities should continue to exercise discretion where fee increases would cause personal hardship."

7. Although these increases seem to indicate a wish on the part of Government not to widen the differential between home and overseas students, they did usher in a period of regular increases. 1975 was also the year in which the Overseas Students Fees Awards Scheme was substantially cut, losing its High Commission and Embassy nominations with only a small rise in the institutional allocation. In addition the Committee of Vice-Chancellors and Principals and the University Grants Committee formed a working party on fees which produced an interim report in November 1975 which came however to no firm conclusions on overseas students.

8. DES Circular 14/75 of 23 December 1975 announced 30% increases for 1976/77, thus widening the differential, overseas students' fees becoming £416 and £260 for advanced and non-advanced courses respectively (and there was a reference back to the hardship clause in DES Circular 3/75). These increases, along with speculation about economic fees* led to a series of parliamentary debates on the subject (21 January, 17 and 22 March, 9 June and 11 November 1976 in the House of Lords; 16 February 1976 in the House of Commons), together with considerable press comment, articles and meetings. There were widespread hardship schemes in universities, varying arrangements in the State sector and little evidence of students having to drop out.

The rate of increase of numbers of overseas students slows

9. During this period of increases in fees (and before any quotas were imposed), it is interesting to note that the public sector totals of overseas students were beginning to level off by 1976/77 after the larger increases in numbers in the early Seventies, viz:

1969/70	:	31,899
1970/71	:	34,564
1971/72	:	39,364
1972/73	:	45,210
1973/74	:	53,164
1974/75	:	62,748
1975/76	:	75,796
1976/77	:	82,774
(1977/78	:	86,107)

10. 1976 was also the year when the Department of Education and Science appeared to start to re-think its policy, to move from differentials in fees between home and overseas students, and to impose a limitation of numbers of overseas students.**

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*Note "£2000 a year fees shock for overseas students" (headline in The Times Higher Education Supplement of 13 February 1976)

**Note In July the Secretary of State for Education, Mr. Fred Mulley, proposed the abolition of one fee differential, the overseas student differential, at higher education level at least, and the introduction of another, between undergraduate and post-graduate. Mrs Shirley Williams, taking over from Mr. Fred Mulley, retained the overseas student fee differential declaring in the House of Commons on 25 November 1976: "It is a disappointment to me, as it will be to many others, that we are not able to eliminate the fee differential between home students and overseas students on courses at these levels...Our policy remains to work towards the abolition of the differential when economic circumstances permit."

11. Mr. Mulley's proposals for limitation of overseas student numbers found expression in DES Circular 1/77 of 14 January 1977 which prescribed overseas students' fees for 1977/78 of £850 for post-graduate courses, £650 for undergraduate/advanced courses and £360 for non-advanced courses,(representing approximately 100%, 60% and 40% increases respectively), indicated that colleges should begin to move towards a target of 1975/76 levels of overseas student enrolments, and gave information on a new scheme for post-graduate overseas students only, the Fee Support Scheme, giving partial fee support, without mentioning that the larger Overseas Students Fees Awards Scheme was to be phased out. Reference was made also to previous hardship criteria. There was an immediate public outcry.*

The Race Relations Act, 1976

12. In addition to the new concept of limitation of overseas student numbers 1976 saw the passing of the Race Relations Act** (which came into force on 1 September 1977) resulting in the need for the DES to issue special dispensations for certain of its policies by local education authorities and colleges.

13. DES Circular 8/77 of 18 August 1977 approved discriminatory fee levels, admission arrangements, hostel charges and discretionary award criteria for students newly defined as 'specified students', who were essentially overseas students under the definition in Administrative Memorandum 14/67 plus some categories hitherto excluded from overseas students' fees, mainly recently arrived immigrants here for under three years. Because the 'specified student' category is broader than the 'overseas student' category under Administrative Memorandum 14/67, it implied a tightening of the 'quota' in saying that "the arrangements approved for the academic year 1978/79 are intended to limit specified student numbers in individual establishments to 1975/76 overseas student levels."

14. There has been a good deal of confusion about the meaning of Circular 8/77 and how there was a danger of a breach of the Race Relations Act. The Circular stated that authorities could continue with the more liberal Administrative Memorandum 14/67 definition "provided they bear in mind the provisions of section 1(1)b of the Race Relations Act 1976, concerned with indirect discrimination," but most selected the administratively more convenient 'specified student' definition. Most universities on the other hand have retained the old definition. The Inner London Education Authority, who have made special arrangements of their own for a reduction of overseas student numbers, reversed an earlier decision to introduce the 'specified student' definition' in the year 1979/80 when they realized that there was no legal danger in retaining the liberal definition or compulsion on them to introduce the new one.

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* Note - "The worst of all worlds" (heading of leader in The Times Higher Education Supplement of 3 December 1976)

** Note - See paragraph 43.

15. DES Circular Letter ACL 1/78 of 27 January 1978 effectively excluded overseas students in UK for study purposes alone from local education authority awards. Hitherto any student in the country for three years prior to a designated higher education course was eligible for an award. New criteria concerned with a student's 'real home' were introduced.*

16. DES Circular 2/78 of 11 January 1978 prescribed overseas students'fee levels for 1978/79, increasing these by 8/9% to £925, £705 and £390.

17. DES Circular 8/78 of 20 June 1978 did for DES Circular 2/78 what DES Circular 8/77 did for DES Circular 1/77 (i.e. sanctioned differential fees at new levels). Full-cost courses were formally excluded from quotas.

18. In February 1978 the DES Discussion Document, Higher Education into the 1990s was issued in which there was little precise reference to overseas students.

19. On 19 December 1978 Mrs Shirley Williams spoke on Government thinking and policy on overseas students at the World University Service Conference. The accompanying press release was headed "Overseas students are valuable assets to social and cultural life of Britain". Here she spelled out the benefits brought by overseas students, but highlighted the Government's dilemma:

> "So we face a twin problem: increasing pressure on our resources coupled with the indiscriminate nature of the tuition fee subsidy. What are we to do about the pressure? Control by quotas is unpopular, unpopular with me as well as with the universities, the National Union of Students or anyone else. Control by the purse is no less unpopular - again with me as much as with anyone else, for I see nothing of value in trying to price tuition out of the reach of those who can least afford to pay for it. So what are we to do? It is well known, certainly to this audience, that I want to see a more rational system. I want to see the £100 million tuition fees used positively to help selected groups of overseas students, in place of the present indiscriminate system, if system is the right word to apply to the present practice."

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*Note Students made ineligible for grants could still be eligible for home fees under the definitions of DES Administrative Memorandum 14/67 and/or Circular 8/77, so any effect of this measure would not show up on the statistics.

20. No proposals appeared, but in due course Circular 3/79 of 27 March 1979 appeared which bore out Mrs. Williams' commitment to hold fee increases to "the same level in real terms" in 1979/80. Fees were raised by a further 9%, bringing the overseas students' rates to £1010, £770 and £425.

21. The change of Government brought however a further increase for overseas students alone, announced as part of the budget measures on 12 June 1979. The increase would "lead to a reduction in expenditure of approximately £6 m in the present financial year" (DES press release of 12 June 1979.)

22. DES Circular 5/79 of 12.7.79 which followed increased overseas students' fees to £1230, £940 and £520 representing further 22% increases on already announced levels for 1979/80, or 33% on 78/79 levels. It also spelled out a tighter limitation of numbers, i.e. 95% of 1975/76 levels, for 1979/80.* Hardship arrangements in the State sector (a notional £½m.)were made known not by the DES but by the Council of Local Education Authorities in CLEA Circular 79/22. £0.3 m was similarly allocated for universities through the University Grants Committee.

23. In a debate in the House of Lords on 5 July 1979 Baroness Young, the Government spokesman, gave the following pledge in responding to the criticisms of the House:

> "I should like to reaffirm that the Government will take careful account of all the points that have been raised in the House tonight. We shall give due importance to the deserved reputation of our universities and other public institutions as internationally renowned centres of learning. We recognise particularly the valuable contribution which post-graduate overseas students can make to research in medicine, in science, and technology. Their presence here, and that of their compatriots studying at lower educational levels, can forge lasting friendships between individuals and between our country and theirs.
>
> "We shall take full account of the longer term trade benefits which may well accrue, as well as the more immediate ones which can arise from the educational element in package deals which secure major contracts for the United Kingdom. In framing future policy the Government will bear in mind how much we have to offer as a country to the education of students from abroad. But I hope I shall also carry

*Note This compares with the universities' target, outlined in UGC letter 5/79 of 19 February 1979, of 7% below 1975/76 levels by 1981/82. Public expenditure White Paper of January 1978 (Cmnd 7049 Vol II page 78) gave 67,000 as the overseas student target by 1980/81, compared with a total of 76,000 in 1975/76.

the sympathy of the House in saying that we must ensure that our contribution is within our means and not more than we can afford out of the funds available for the whole of our education service, and particularly our students at home."

24. Press speculation about the introduction of higher fees for overseas students grew during the summer and autumn of 1979. On November 1st came the following announcement by Mark Carlisle, Secretary of State for Education:

"The effect of the decision regarding overseas students, set out in today's announcement about the Government's expenditure plans for 1980-81, is that public funds will not be available to subsidise students from overseas beginning courses in September 1980 other than funds made available through overseas aid programmes. The fees of students already on course will not be affected by this. As regards the annual fees for new entrants for the academic year 1980-81, I have consulted the University Grants Committee and the Local Authority Associations, who will be issuing recommendations to the universities and Local Education Authorities respectively. These will be as follows:

Universities

Such fees as the institutions consider necessary to meet the cost of the education in question, subject to a minimum of £2,000 per annum in the case of an Arts Course, £3,000 per annum for a Science Course, and £5,000 per annum for the clinical years of courses in Medicine, Dentistry and Veterinary Science.

Maintained and Voluntary Institutions

	Advanced	Non-advanced
Laboratory and Workshop based courses	£3,300	£1,890
Classroom-based courses	£2,400	£1,380

No specific recommendations will be made in either sector about fees for post-graduate students. I am conscious that the contribution made by such students to research in the institutions they attend can be outstanding and I intend to arrange with the UGC for a scheme for granting bursaries to postgraduate research students of outstanding merit from overseas.

I am also considering whether the arrangements outlined above may be modified to take account of the position of students from other member countries of the EEC."

ACCOMMODATION AND WELFARE

The Overseas Students Welfare Expansion Programme (OSWEP)

25. OSWEP came into being in March 1961 when the Government decided to provide financial aid for approved organisations willing to undertake the creation of additional residential accommodation where it was acutely needed. The scheme, administered by the British Council, was set up to meet the needs of Commonwealth and overseas students in view of the extreme shortage of accommodation in the UK and in order to develop closer links between young people in the Commonwealth. A grant of £2¾ million was made initially for the scheme and a further £2½ million was allocated in the mid sixties.

26. The scheme was operated as a joint Government and voluntary society programme. The Government provided 75% of the net capital cost of each hostel scheme or (originally) £750 per student (more recently £1,500), whichever was less. The other 25% came from voluntary societies, housing associations or private individuals who converted existing houses or built new ones, and ran the hostel. Among the stipulations of the grant were:

(a) that normally about 65% of the additional accommodation which they provided should be available to full-time students and trainees from the Commonwealth, and about 20% to students of United Kingdom origin, the remainder being for overseas students, etc, from other countries;

(b) that, subject to the above, preference in admission should be given to overseas students and trainees from developing countries in their third year in Britain. Otherwise the additional accommodation so created should be open equally to students and trainees of any nationality, race or faith.

27. Up to July 31st, 1966, according to the 1966 edition of Overseas Students in Britain (the British Council), grants towards projects to provide over 2,100 additional places in London and almost 2,000 outside London had been agreed in principle, while negotiations in respect of additional projects were still in progress. By 1977 the full £5¼ million had been allocated, providing some 5,000 new places. Efforts to seek a further allocation of funds for a renewed OSWEP failed.

Differential Charges in LEA Hostels

28. In May 1968 the DES issued a letter (ref F1/56/02) offering guidance to local education authorities about the boarding fees chargeable to students attending further education establishments in England and Wales (i.e. at polytechnics, technical colleges and colleges of further education). This laid down among other things that students classified as overseas for tuition fee purposes, together with students ordinarily resident in Scotland, Northern Ireland, the Channel Islands and the Isle of Man, should be charged the full economic cost of a place (i.e. to include contributions towards loan charges, maintenance, rates, salaries etc.). Special arrangements were subsequently made for students from Scotland and Northern Ireland, in receipt of financial support from their respective education departments, for the difference between the two rates to be paid direct by those departments.

29. Differential charges have never been levied in university accommodation. In the state sector there were only a few colleges with halls of residences when the ruling came into effect. However, over the years since, not only has the number of further education institutions grown but so has the proportion of them offering hostel accommodation. It is difficult to determine the deterrent effect of the kind of charges operating for overseas students:

e.g. Sunderland Polytechnic - £29.50 a week (excludes Mon-Fri. lunch)
Polytechnic of Wales - £21 a week (excludes Mon-Fri. lunch)
Newcastle Polytechnic - £35 a week (breakfast only)
(1976/77 figures)

but it has been known for hostels to operate uneconomically half full because overseas students could not afford the rates while British students simply did not want this type of accommodation.

30. Although there has never been any serious effort on the part of Government to remove or mitigate the differential charges for overseas students, there were two interesting developments in 1978, both consequences of the 1976 Race Relations Act, which came into effect on 1 September 1977. First, in Scotland differential charges had never been levied, so when the Scottish Education Department (SED) issued its equivalent of DES Circular 8/77, SED Circular 989, it made no mention of giving approval to such a differential. Thus, when Hamilton College of Education tried to introduce a differential, NUS (Scotland) took the matter up legally and the College had to remove the differential. In England and Wales the omission of any reference to accommodation other than full board in Circular 8/77 led some

institutions (correctly) to believe that charging differential fees in self-catering halls constituted a possible breach of the Race Relations Act and removed the differential. However, on 5 December 1978, this 'loophole' was closed in DES Circular 17/78. On 6 December DES Circular Letter FECL 7/78 confirmed and clarified the basis for charging differential fees set out in the 1968 guidance.

Statutory Sources and Provisions

31. Both the Rent Act and the Housing Act of 1974 have had an indirect effect on accommodation for overseas students. The 1974 Rent Act made the rights and redresses of tenants more secure, but at the same time reduced the stock of privately rented accommodation available. However, overseas students have sometimes been favoured by landlords because they are more likely than British students to move on after their studies.

32. As for the 1974 Housing Act, this led to certain sources being available for hostels to accommodate married overseas students. At the end of 1975 the Department of the Environment issued the following statement:-

"Housing Accommodation Grants (HAG) will in future be available for projects of registered housing associations which provide self-contained accommodation for married students from overseas. We are in principle willing to give Revenue Deficit Grant (RDG) to any schemes of this type which have received OSWEP grants in the past. It is, however, a condition of HAG that tenants shall not be required to vacate their accommodation on ceasing to be members of a particular group though this condition can sometimes be waived if alternative accommodation is provided. It would similarly be a condition of any RDG for existing schemes that the tenants are not obliged to leave their accommodation at the end of their courses, unless perhaps alternative accommodation can be provided."

Welfare of Overseas Students

33. DES Circular 2/63 of January 1963 superseded the earlier Circular 332, issued in January 1958, and stated that "The number of overseas students has greatly increased since 1958, and additional experience in dealing with these problems has been acquired. The suggestions which were made in Circular 332 have, therefore, been revised and amplified in consultation with the British Council and the other Government departments most closely concerned." The Circular included sections on Admissions, Advice to Students, Living Accommodation, Introductory Courses, Communication, and Introduction to the local Community and made reference to the short courses run jointly by DES and the British Council for teachers concerned with student welfare questions.

34. It was to be over 15 years before this Circular was fully revised (though further guidance on admissions was issued in Administrative Memorandum 1/67*) and Circular 15/78 came out in October 1978: "Since the previous Circular, there have been substantial developments. The number of overseas students attending full-time courses in the United Kingdom has more than doubled, and the United Kingdom Council for Overseas Students Affairs (UKCOSA) has come into being to represent their interests. However, overseas students in this country inevitably continue to face problems of living and studying away from home in a different social environment, and the purpose of this Circular is to provide sound up-to-date guidance to colleges on these matters."

35. The Circular included sections on General Welfare, Living Accommodation, Finance, Introductory Courses, Communication, Introduction to the Local Community and Training of Staff and gave lists of national organisations and publications for colleges to consult. Under the heading "General Welfare" the Circular laid stress on the critical significance overseas students attach to the teacher-student relationship: "It should be recognised that they look to the teaching staff as a source of guidance and advice on all aspects of college life and this is demanding in staff time. It is important, therefore, that tutors should, whenever possible, endeavour to fill this wider role rather than leave matters other than purely academic entirely to the administrative and welfare services." No similar guidance has been issued to the universities by the University Grants Committee.

*Note See paragraph 42.

IMMIGRATION, EMPLOYMENT AND RACE RELATIONS

Immigration and Employment

36. The Commonwealth Immigrants Act, which came into force on 1 July 1962, introduced a type of control on entry, i.e. by use of the employment voucher and the entry certificate, which had hitherto applied only to aliens. Commonwealth students were however not subject to any rigorous control and when the Instructions to Immigration Officers (Cmnd 1716) were published to amplify this Act they implied that students were virtually sacrosanct. This led to some abuse of student status and to new Instructions to Immigration Officers in 1965 (Cmnd 3064) in which staff were encouraged to impose conditions when granting admission where there was any doubt of the entrant's authenticity as a student. This also meant that the entrant would be compelled to seek an early extension of stay from the Home Office.

37. Till the introduction of the 1971 Immigration Act the rules and conditions governing foreign and Commonwealth students remained essentially as follows:-

(a) COMMONWEALTH: Any Commonwealth citizen who satisfied the immigration officer that he would be spending the whole or a substantial part of his time studying at a university, college, school or other institution (whether run by a central or local authority or privately) was entitled to admission. He was normally admitted for 12 months in the first instance on conditions that did not prohibit his taking employment. He was able to work to finance his studies during free time, vacations and during industrial periods of his sandwich course without the need to obtain special permission, either from Home Office or Department of Employment. Commonwealth citizens not completely satisfying the immigration officer were admitted on conditions restricting initial stay to three months and prohibiting the taking of employment.

(b) FOREIGN: As for Commonwealth students, but they had to prove that they had enough money for their housing and maintenance whilst in the country without having to take a job. There were restrictions on freedom to take employment. To get permission to work, applications had to be made to the Home Office followed by approval by the local office of the Department of Employment.

38. The date the 1971 Immigration Act came into effect, 1 January 1973, coincided with Britain's accession to the membership of the EEC. This was reflected in the provisions in the Act for citizens of the EEC countries. Thus students from these

countries were no longer to be subject to restrictions on taking employment and residence permits were a formality. On the other hand Commonwealth students lost the right to take part-time, vacation and industrial training work without permission. The Act put Commonwealth students on a par with foreign students for most of its provisions, though entry procedures still varied slightly with a two-tier endorsement concerning employment: a 'Restriction' given to most students, whereby approval has to be obtained from a local Department of Employment office; and a 'Prohibition', given where there is any area of doubt about a student's bona fides or documentation, which must be removed by the Home Office before the student can seek Department of Employment approval. The only remaining concession for Commonwealth students is that they do not have to register with the police.

39. While it is a condition of his stay here that an overseas student, Commonwealth or foreign, intends to leave the country on completion of his studies, he is entitled to apply for a work permit through his potential employer after qualifying. If such employment is for a specific period (e.g. 12 months) and classified as training, permission might be given. If the application is for a full work permit, this is unlikely to be granted in the current economic situation.

40. A common myth has grown up amongst students and others that five years in the UK in any capacity entitles a person to permanent residence status. This only applied to Commonwealth citizens who entered before 1 January 1973 and has therefore lapsed.

41. Other changes in immigration rules and regulations which have affected overseas students in recent years are:

(a) the loss of right of appeal to late applicants for extension of stay (1976)
(b) the alternating decision about the right of a Commonwealth or foreign husband to live with his British wife in Britain (lost in 1973, gained in 1974 and again in doubt at the present time);
(c) the introduction of extensions of stay for longer than twelve months for selected sponsored Commonwealth students (1978).

DES guidance on the admission of overseas students

42. DES Administrative Memorandum 1/67 amplified and updated the advice given in a section of Circular 2/63 on Welfare. Although the procedures to be followed for student applications through High Commissions and Embassy student offices were outlined again, there appeared to be less confidence in this method of application.

When, 11 years later, DES Circular 14/78 was issued to supersede the earlier guidance, the section on 'Application Through National Authority' stated "Sponsorship by a student's own national authority does not necessarily guarantee his academic suitability for a course since some authorities concern themselves principally with questions of finance and currency control. Such sponsorship will weigh in an intending student's favour if he applies for an entry clearance, but the ECO or visa officer will nevertheless need to assess the applicant's suitability by checking the validity of the documentary evidence provided of educational qualifications." *

43. The 1965, 1968 and 1976 Race Relations Acts and the work of the organisations set up as a result of and/or to implement these Acts (Race Relations Board, Community Relations Commission, Commission for Racial Equality) appear to have had only a peripheral effect on overseas students although clearly any efforts to safeguard the position of minority groups, take up cases of racial discrimination and generate awareness of the cultural diversity of British society, are likely to be of benefit to overseas students.

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* Note The Scottish Education Department produced its version of the Admissions Circular but did not issue an equivalent to DES Circular 15/78 on Welfare (see paragraph 34 of this paper). Once again, DES and SED guidance on admissions went to the State sector only and the UGC issued none of its own.

CHANGES IN TUITION FEES IN BRITISH INSTITUTIONS OF FURTHER AND HIGHER EDUCATION, 1967-1980

		From 1967	1975/76	1976/77	1977/78	1978/79	1979/80
		£	£	£	£	£	£
Postgraduate	Overseas	250	320	416	850	925	1230
	Home	70	140	182	750	850	890
Undergraduate/ Advanced FE	Overseas	250	320	416	650	705	940
	Home	70	140	182	500	545	595
Non-advanced	Overseas	150	200	260	360	390	520
	Home*	30	100	104	165	165	165

*Note Non-advanced fee levels for home students vary from authority to authority. The rates given here are for one authority taken at random.

Major political crises abroad affecting or resulting in large groups of overseas students in Britain

COUNTRY	DATE	U.K. RESPONSE
RHODESIA/ZIMBABWE	1966	Commonwealth Special Scheme of scholarships, with the UK contribution the largest, rising to a projected 4,000 awards in 1979/80.
NIGERIA/BIAFRA	1968	UKCOSA Fund, administered by Africa Educational Trust; no UK Government contribution.
PAKISTAN/BANGLADESH	1971	Supplementary Benefits (SBC) payments plus extension of Overseas Students Fees Awards Scheme (OSFAS).
UGANDA (Asian emigration)	1972	SBC payments plus waiving of residence requirements for awards plus UKCOSA-run fund.
CYPRUS	1974	SBC payments plus extension of OSFAS.
CHILE	1974	Scholarship Scheme administered by World University Service (WUS) with funds from Ministry of Overseas Development (ODM).
ETHIOPIA/ERITREA	1977	Scholarship Scheme administered by WUS with funds from ODM.
UGANDA	1978	-- ditto --
IRAN	1979	SBC payments.

Main Parliamentary Debates on Overseas Students

House of Lords	House of Commons
14 February 1967	23 February 1967
21 January 1976	16 February 1976
17 March 1976	13 January 1978 (on universities)
22 March 1976	13 March 1978
9 June 1976	May 1979 (Debate on the Queen's speech)
11 November 1976	
9 May 1978	
20 July 1978	
17 January 1979	
5 July 1979	

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